

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK
CENTRAL ISLIP COURTHOUSE**

MATTHEW ACTON, individually, and on
behalf of all other similarly situated persons,

Plaintiffs,

vs.

INTELLECTUAL CAPITAL
MANAGEMENT, INC. D/B/A SMS
MASTERMINDS and SPENDSMART
NETWORKS, INC.,

Defendants.

Case No 2:15-cv-04004-JS-ARL

Honorable Joanna Seybert

**NOTICE OF DECISION IN
*CAMPBELL-EWALD CO. V. GOMEZ***

Pursuant to the Court's December 28, 2015 Memorandum and Order (Dkt. No. 28, at *8), the undersigned counsel hereby notifies the Court that the United States Supreme Court issued its decision in *Tyson Foods, Inc. v. Bouphakeo*, No. 14-1146. A true and correct copy of the decision is attached hereto as **Exhibit A**.

Dated: April 8, 2016

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via the Court's CM/ECF system on this 8th day of April, 2016, on all counsel or parties of record, as listed below.

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